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LAS VEGAS, NEVADA 89119

& ASSOCIATES

ATTORNEYS AT LAW
Exclusively Personal Injury

TEL (702) 380-3100

FAX (702) 385-3101

January 16, 2007

VIA Federal Express Overnight

Hyundai Motor America
10550 Talbert Ave.
P.O. Box 20850
Fountain Valley, California 92728-0850

Att: Thomas N. Vanderford, Jr.

Re: My Client : Christine Keys
Owner of Vehicle : Maranda Jackson
Vehicle : 2004 Hyundai Accent

Dear Mr. Vanderford

As per the conversation that Steven Foremaster had with Sandra McKinney on January 16, 2007, I am enclosing information on the accident involving my client. I have enclosed the documents in exhibit form for your review.

Currently, Ms. Keys is still undergoing medical rehabilitation and physical therapy for the injuries she sustained in this accident. I have enclosed a portion of her medical bill and treatment records as Exhibit 4. At the conclusion of her treatment I will submit a settlement demand on behalf of Ms. Keys.

Our office has scheduled the inspection of the 2004 Hyundai Accent with your expert, Steven Johnson, and our expert, William Morrison, for January 19, 2007, at Accident Solutions in Las Vegas, NV.

Ms. Keys was involved in a head on collision with a 2002 Dodge Stratus. At the time of impact the air bags in the 2004 Hyundai Accent that Ms. Keys was driving did not deploy. The airbags deployed only after the car came to a rest and Ms. Keys was being extracted from the car by the paramedics.

Please contact our office at your earliest convenience should you have any further questions.

Thank you for your courtesy and cooperation.

Very truly yours,

G. Dallas Horton

G. Dallas Horton, Esq.

GDH/jlh

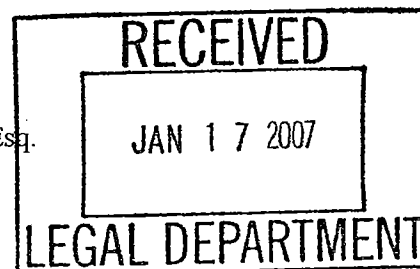


EXHIBIT 14

W.N. Morrison & Associates

**7 Reyburn Drive
Henderson, Nevada 89074
Phone: 702-838-0110
Fax: 702-838-0115**

September 22, 2006

G. Dallas Horton, Esq.
G. Dallas Horton and Associates
530 South Fourth Street
Las Vegas, Nevada 89101

Re: **Subject** : **Christine Keys**
 Date of Accident : **June 4, 2006**
 Our File No. : **206212**

Dear Mr. Horton:

Pursuant to your request of August 7, 2006, I have completed an analysis of the air bag failure of the 2004 Hyundai Accent operated by Christine Keys who involved in an accident with Cynthia Dufala on June 4, 2006.

CONCLUSIONS

Based on the available information to date, the following observations can be made:

- The damage found to the front of the Keys Hyundai Accent was comparable to a speed of 16.4 mph at the time of impact with a movable barrier utilizing the computer program "WinCrash".
- The Delta V developed was 12.5 mph and the principal direction of force was 20° which should have enabled the deployment of the driver's air bag.
- The reported information that the air bag for the Keys Hyundai did not deploy until the door of the Hyundai was opened should be considered as a failure of the air bag system to deploy as it was designed to during the impact sequence.

Christine Keys
September 22, 2006
Page Two

SUMMARY

Reportedly, Christine Keys was operating a 2004 Hyundai Accent eastbound on Garwood Avenue approaching the intersection with Ransom Drive in Las Vegas, Nevada. At the same time, Cynthia Dufala was operating a 2002 Dodge Stratus 4-door sedan northbound on Ransom Drive. Ms. Dufala entered onto Garwood Avenue to complete a left turn to travel westbound on Garwood Avenue. The Keys Hyundai collided with the Dufala Dodge as it entered into the path of the Keys Hyundai.

It was further reported that the driver's air-bag did not deploy during the accident on the Keys Hyundai. When the medical personnel arrived at the scene and opened the door to access Christine Keys, both of the front air-bags deployed.

ISSUES

The issue addressed herein pertains to the failure of the front air-bags to deploy during the impact.

BASIS OF ANALYSIS

- Review of the Las Vegas Metropolitan Police Department Traffic Accident Report
- Inspection of the Keys 2004 Hyundai at CoPart Salvage Yard
- Review of published specifications for the 2004 Hyundai Accent 4-door sedan and 2002 Dodge Stratus 4-door sedan
- Utilization of the computer program "WinCrash" to determine the equivalent barrier speed of the Keys Hyundai and force directions

DISCUSSION

The police accident report has documented that Christine Keys was traveling properly in her travel lane eastbound on Garwood Avenue when Cynthia Dufala entered the travel path of Ms. Keys in her 2002 Dodge Stratus. The collision type was listed as being angle, but in the damage description for the two vehicles, each had front-end damage which would translate to a head-on collision.

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September 22, 2006
Page Three

To address the issue of the air-bag deployment, the Keys Hyundai was inspected in the storage facilities of CoPart on August 15, 2006. Measurements and photographs were taken of the Hyundai. The Dufala Dodge was not available for inspection. The published vehicle specifications for the two involved vehicles show an approximate 1000 pound advantage for the Dufala Dodge over the Keys Hyundai.

The inspection of the Keys Hyundai disclosed that the vehicle exhibited contact damage across the front from approximately 1 foot to the right of the left side front fender to the right front fender. Measurements of the wheelbase revealed that the right front wheel was moved rearward approximately 2.4 inches. The right front fender and reinforcement bar were displaced rearward approximately 1 foot. The right side of the front bumper polymer bumper cover was torn and cut. The remaining bumper cover was loose from its front end attachment points.

The reinforcement bar was exposed and exhibited a vertical indentation approximately 3.7 feet to the right of the left end of the bar. The indentation and the bar measured approximately 7 inches rearward. The exterior side of the front polymer bumper cover exhibited scuff type markings and a distorted shape from 2.6 feet to 4.8 feet from the left front.

ANALYSIS

The deployment of the front air-bags is dependant on where the force directions are being applied. The police accident report has documented that both involved vehicles underwent deployment of the front air-bags. However, based on the information received, the air-bags for the Keys Hyundai did not deploy until the vehicle had come to stop and the car door or doors were opened.

The residual damage found to the front of the Keys Hyundai was concentrated at the center of the front extending to the right front which had the maximum amount of damage. The damage was found to be consistent with the Dufala Dodge turning to the west from a northbound direction at the time of the impact with the heading being from 155° to 165° to the heading of the Keys Hyundai.

Calculations were completed based on the damage to the front of the Keys Hyundai utilizing the computer program "WinCrash" with a movable barrier. The amount of damage was consistent with an barrier speed of 16.4 mph and a Delta V (change in speed) of 12.5 mph with the principal direction of the forces being 20°. These calculation were completed with a barrier and did not consider the damage to the Dufala Dodge or the distances traveled after impact. The principal direction of the force at the time of maximum engagement for the Keys Hyundai fell

Christine Keys
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Page Four

within the parameters of the air-bag crash detection system which should have caused the immediate deployment of the vehicle's air-bag system.

Based on the damage profile of the front of the Keys Hyundai, the collision would have been offset which would have caused the Keys Hyundai to rotate in a clockwise direction while decelerating to a stop. The occupant kinematics for Ms. Keys would entail an upper body forward rotation with a deviation to her right during the period of maximum engagement. It has become apparent over the years of vehicles having air-bags that the sensing devices for the force and timing of deployments need to be better designed and controlled for a wider range of crash scenarios. It is unknown whether the characteristics of the sensing device or devices were overloaded with data, defective, or not in proper position to detect the impact forces in the accident in question.

This will conclude the analysis from the data available at the present time. If additional information is made available, I would appreciate receiving such information for review and consideration. The photographs taken during the inspection and documentation are attached with this report. Should you require clarification of any of the material contained herein, please do not hesitate to contact me.

Thank you for this opportunity to assist you in this matter.

Sincerely,


William N. Morrison, ACTAR #123
Accident Reconstruction Specialist

W.N. MORRISON & ASSOCIATES

Accident Analysis & Reconstruction

William N. Morrison

ACTAR Accredited #123

Reconstruction Specialist

(702) 838-0110 • (702) 838-0115 FAX

EXHIBIT 15

W.N. Morrison & Associates

**7 Reyburn Drive
Henderson, Nevada 89074**

**Phone: 702-838-0110
Fax: 702-838-0115**

February 5, 2007

G. Dallas Horton, Esq.
Horton, Horton & Sipan
4435 So. Eastern Avenue
Las Vegas, Nevada 89119

Dear Mr. Horton:

I attended the inspection of the Hoosech and Keyes Hyundai inspections by Steve Johnson of Hyundai Motors on January 19, 2006 at Accident Solutions located at 4425 East Colton Avenue in Las Vegas, Nevada. Mr. Johnson looked at the Hoosech Hyundai Santa Fe first. Photographs were taken of the entire vehicle and measurements taken of the driver's seat belt system. He then attached their instrument and downloaded the air bag system. The data retrieved indicated that a signal was not received to fire or deploy the air-bag system. I took photographs of the read out from the download. He made no comments about the location of the front sensor and the damage to the front, other than that it appeared to be an under ride collision.

The Keyes Hyundai Accent was inspected next. The download from the air-bag system did reveal a deploy signal to the air-bag. However, the sequence or time of deployment signal from initial impact was not given. While viewing the Accent, Mr. Johnson did orally note that the steering wheel was bent inward, but did not make any other comments.


My opinions have been based on force direction and whether the forces of the collision were sufficient to deploy the air-bag for the Hoosech Hyundai. The delay deployment of the Keyes Hyundai will most likely be assisted by the emergency personnel at the scene. I am of the opinion that the bent steering wheel is good objective data that the air bag did not go off at maximum engagement.

I will be sending to you by the photographs taken of the two inspections, copies of some SAE papers regarding air-bags, and a copy of some experts with the air-bag systems. I do not recognize the names of the experts on the lists, but they are members of the ARC Network. I believe there may be a design problem or a failure of a part for each of these cases and an engineer familiar with the design of the system may be the best answer.

Thank you for choosing our company to assist you in this matter. The opinions expressed after the initial inspections have not changed. If you have the opportunity to look over the conclusions of the SAE papers.

If you have any questions or comments, please contact me.

Sincerely,



William N. Morrison, ACTAR #123
Accident Reconstruction Specialist

EXHIBIT 16



2007-01-19

2007-01-19

OK
F1000

F.11 CRASHING INFORMATION

CRASH OUTLET

CRASH OUTLET

CRASH OUTLET

CRASH OUTLET

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F6

F5

F4

F3

F2

F1

HELP

2007 01 19

Q83
TAMM

1.11 CRASHING INFORMATION

DRIVER S/BELT STATUS	UNBUCKLED
PASSENGER S/BELT STATUS	UNBUCKLED
DRIVER S/TRACK POS.	HEADWARD
PASSENGER S/TRACK POS.	HEADWARD
DOB FIRE-1ST STAGE	FIRE
DOB FIRE-2ST STAGE	FIRE
DOB FIRE-1ST STAGE	FIRE
DOB FIRE-2ST STAGE	FIRE

HELP

F6

F5

F4

F3

F2

F1

EXHIBIT 17

1 **DOW**
2 G. DALLAS HORTON & ASSOCIATES
3 G. DALLAS HORTON, ESQ.
4 Nevada Bar No. 5996
5 DAVID L. THOMAS, ESQ.
6 Nevada Bar No. 3172
7 MONTE HALL, ESQ.
8 Nevada Bar No. 0239
9 CHRISTIAN Z. SMITH, ESQ.
10 Nevada Bar No. 8266
11 4435 South Eastern Avenue
12 Las Vegas, Nevada 89119
13 Tel: (702) 380-3100
14 Fax: (702) 385-3101
15 Attorneys for Plaintiff

11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

13 CHRISTINE KEYES,

14)
15)
16)
17)
18)
19)
20)
21)
22)
23)
24)
25)
26)
27)
28)
Plaintiff,

Case No: 2:08-cv-00736-LRH-LRL

vs.

17 HYUNDAI MOTOR AMERICA, a foreign
18 corporation; DOES I through X; and ROE
19 CORPORATIONS I through X, inclusive,

Defendants.

21 **PLAINTIFF'S EXPERT WITNESS LISTS, REPORTS AND WRITINGS**

22 COMES NOW, Plaintiff, CHRISTINE KEYES, by and through his attorneys, G.
23 DALLAS HORTON & ASSOCIATES and Olson, Cannon, Gormley & Desruisseaux, and
24 hereby submits the following Plaintiff's Designation of Expert Witnesses, Reports and Writings
25 pursuant to NRCP 16(a) (2) and serves on Defendants, through their respective Counsel,
26 Plaintiff's Expert Witness Lists, Reports and Writings as follows:
27
28

LIST OF EXPERT WITNESSES

1. Edmund Pasimio, M.D.
Advanced Spine and Pain Center
801 South Rancho Dr., Ste. A-3
Las Vegas, NV 89106.

Dr. Pasimio provided a medical record review of Plaintiff's records. Dr. Pasimio will testify as to the increased, long-term life care needs and expenses of Plaintiff which are a result of the injuries he suffered as well as the past, present and future medical condition of Plaintiff, as well as the steps that must be taken to minimize the burden of his residual injuries and physical limitations as a result of the acts and/or omissions of Defendants. Dr. Pasimio will also testify as to all of plaintiff's medical care as to causation and the reasonableness, necessity and customary nature of the billing and treatment rendered herein. The basis of his reasons and data or other information considered by the witness is set forth in his report. (Bates KEYES PASIMIO 000001 – KEYES PASIMIO 00019) His qualifications, including a list of publications authored by the witness, his fee schedule and list of cases are produced as Bates KEYES PASIMIO 00020 – KEYES PASIMIO 00025 Plaintiff herein reserves the opportunity to supplement as additional case discovery is completed.

2. Dr. Armando Miciano, M.D.
Spring Mountain Rehabilitation
2701 N. Tenaya Way, Suite 290
Las Vegas, NV 89128.

Mr. Miciano is a medical doctor of physical medicine. Mr. Miciano will testify as to the effect of the physical residuals suffered by Plaintiff by the acts and/or omissions of Defendants herein as it relates to Plaintiff's physical rehabilitation. Dr. Miciano may critically evaluate the opinions of any expert witness identified or designated by Defendants herein. Dr. Miciano will also testify as to all of plaintiff's medical care as to causation and the reasonableness, necessity and customary nature of the billing and treatment rendered herein The basis of his reasons and

1 data or other information considered by the witness is set forth in his report. (Bates KEYES
2 MICIANO 00001 – KEYES MICIANO 00050) His qualifications, including a list of
3 publications authored by the witness, his fee schedule and list of cases are produced as Bates
4 KEYES MICIANO 00051 – KEYES MICIANO 00061. Plaintiff herein reserves the opportunity
5 to supplement as additional case discovery is completed.
6

7 3. Terrence M. Clauretie, Ph.D., C.P.A.
8 3741 Lyle Lane
9 Las Vegas, NV 89120.

10 Dr. Clauretie is an economist. Dr. Clauretie will testify regarding the effects of the
11 injuries inflicted upon the Plaintiff by the acts and/or omissions of Defendants herein as it relates
12 to the value of past, present, and future lost wages and/or loss of earning capacity and the future
13 cost of medical care to Plaintiff. Mr. Clauretie will testify as to the facts and opinions set forth in
14 his report (Bates KEYES CLAURETIE 00001 – KEYES CLAURETIE 00028). The basis of his
15 reasons and data or other information considered by the witness is set forth in his report. His
16 qualifications, including a list of publications authored by the witness, his fee schedule and list of
17 cases are produced as Bates KEYES CLAURETIE 00029 – KEYES CLAURETIE 00044.
18 Plaintiff herein reserves the opportunity to supplement as additional case discovery is completed.

19 4. Hugh S. Selznick, M.D.
20 3006 S. Maryland Pkwy, Suite 570
21 Las Vegas, NV 89109

22 Dr. Selznick provided a medical record review of Plaintiff's records. Dr. Selznick will
23 testify the medical care and expenses of Plaintiff which are a result of the injuries she suffered as
24 well as the past, present and future medical condition of Plaintiff, as well as the steps that must
25 be taken to minimize the burden of his residual injuries and physical limitations as a result of the
26 acts and/or omissions of Defendants. Dr. Selznick will also testify as to all of plaintiff's medical
27 care as to causation and the reasonableness, necessity and customary nature of the billing and
28 treatment rendered herein. The basis of his reasons and data or other information considered by

1 the witness is set forth in his report. (Bates KEYES SELZNICK 00001 – KEYES SELZNICK
2 00031) His qualifications, including a list of publications authored by the witness, his fee
3 schedule and list of cases are produced as Bates KEYES SELZNICK 00032 - KEYES
4 SLEZNICK 00042. Plaintiff herein reserves the opportunity to supplement as additional case
5 discovery is completed.
6

7 5. David S. Gibson, MBA, CPA, CRC
8 161 N. Clark Street, 47th Floor
9 Chicago, Il 60601.

10 Mr. Gibson is a vocational expert. He will testify that Ms. Keyes has a work disability
11 and the impact of this disability on Ms. Keyes' earning capacity and worklife. Mr. Gibson will
12 testify as to the facts and opinions set forth in his report (Bates KEYES GAMBOA 00001 –
13 KEYES GAMBOA 00021). The basis of his reasons and data or other information considered
14 by the witness is set forth in his report. His qualifications, including a list of publications
15 authored by the witness, his fee schedule and list of cases are produced as Bates KEYES
16 GIBSON 00001 – KEYES 00012. Plaintiff herein reserves the opportunity to supplement as
17 additional case discovery is completed.

18 6. Anthony M. Gamboa, Jr., Ph.D., M.B.A.
19 801 Brickell Avenue
20 Suite 900
21 Miami, FL 33131

22 Mr. Gamboa is a vocational expert. He will testify that Ms. Keyes has a work disability
23 and the impact of this disability on Ms. Keyes' earning capacity and worklife. Mr. Gamboa will
24 testify as to the facts and opinions set forth in his report (Bates KEYES GAMBOA 00001 –
25 KEYES GAMBOA 00021). The basis of his reasons and data or other information considered
26 by the witness is set forth in his report. His qualifications, including a list of publications
27 authored by the witness, his fee schedule and list of cases are produced as Bates KEYES
28 GAMBOA 00022 – KEYES GAMBOA 00061. Plaintiff herein reserves the opportunity to
supplement as additional case discovery is completed.

...

1 7. Bill Rosenbluth
2 Automotive Systems Analysis, Inc.
3 12015 Canter Lane
4 Reston, VA 20191

5 Mr. Rosenbluth specializes in Automotive Technology. Mr. Rosenbluth will testify as to
6 his inspection of the vehicle which Ms. Keyes was driving. Mr. Rosenbluth will testify as to the
7 facts and opinions set forth in his report (Bates KEYES ASA 00001 – KEYES ASA 00023).
8 The basis of his reasons and data or other information considered by the witness is set forth in his
9 report. His qualifications, including a list of publications authored by the witness, his fee
10 schedule and list of cases are produced as Bates KEYES ASA 00024 – KEYES ASA 00036.
11 Plaintiff herein reserves the opportunity to supplement as additional case discovery is completed.

12 8. William N. Morrison, ACTAR #123
13 W.N. Morrison & Associates
14 7 Reyburn Drive
15 Henderson, NV 89074

16 Mr. Morrison analyzed the air bag failure of the vehicle that Ms. Keyes was
17 driving at the time of the incident. Mr. Morrison will testify as to the facts and opinions set forth
18 in his report (Bates KEYES MORRISON 00001 – KEYES MORRISON 00004). The basis of
19 his reasons and data or other information considered by the witness is set forth in his report. His
20 qualifications, including a list of publications authored by the witness, his fee schedule and list of
21 cases are produced as Bates KEYES MORRISON 00005 – KEYES MORRISON 00018.
22 Plaintiff herein reserves the opportunity to supplement as additional case discovery is completed.

23 **LIST OF DOCUMENTS**

24 1. Life Care Plan prepared for Christine Keyes prepared by Edmund Pasimio, M.D.;
25 dated January 26, 2009. (Bates KEYES PASIMIO 00001 – KEYES PASIMIO 00019).

26 2. Curriculum Vitae, List of Cases and Fee Schedule of Edmund Pasimio (Bates
27 Numbers KEYES PASIMIO 00020 – KEYES PASIMIO 00025)

28 3. Permanent Medical Impairment prepared by Armando Miciano, M.D., dated
January 23, 2009. (Bates Numbers KEYES MICIANO 00001 – KEYES MICIANO 00050)

1 4. Curriculum Vitae, List of Cases and Fee Schedule of Armando Miciano (Bates
2 Numbers KEYES MICIANO 00051 – KEYES MICIANO 00061)

3 5. Report on the present value of life care plan for prepared by Terrence M.
4 Claurette, dated January 29, 2009. (Bates Numbers KEYES CLAURETIE 00001 – KEYES
5 CLAURETIE 00028)

6 6. Curriculum Vitae, List of Cases and Fee Schedule of Terrence M. Claurette
7 (Bates KEYES CLAURETIE 00029 – KEYES CLAURETIE 00044)

8 7. Loss of Earning Capacity report prepared by Vocational Economics, Inc., dated
9 January 22, 2009 (Bates KEYES GAMBOA 00001 – KEYES GAMBOA 00021.

10 8. Curriculum Vitae, List of Cases and Fee Schedule of David Gibson, M.B.A.,
11 C.P.A., C.R.C. (Bates KEYES GIBSON 00001 – KEYES GIBSON 00012)

12 9. Curriculum Vitae, List of Cases and Fee Schedule of Anthony M. Gamboa, Jr.,
13 Ph.D., M.B.A. (Bates KEYES GAMBOA 00022 – KEYES GAMBOA 00061)

14 10. Gerald Rosenbluth of Amutomotive Systems Analysis, Inc. (“ASA”) expert
15 report, dated May 8, 2008 (Bates KEYES ASA 00001 – KEYES ASA 00023)

16 11. Curriculum Vitae, List of Cases and Fee Schedule of William Rosenbluth
17 Automotive Systems Analysis, Inc. (“ASA”), (Bates KEYES ASA 00024 – KEYES ASA
18 00036)

19 12. Hugh L. Selznick, M.D. expert report, dated January 29, 2009 (Bates KEYES
20 SELZNICK 00001 – KEYES SELZNICK 00031)

21 13. Curriculum Vitae, List of Cases and Fee Schedule of Hugh L. Selznick M.D.
22 (Bates KEYES SELZNICK 00032 – KEYES SELZNICK 00042)

23 14. W. N. Morrison of W.N. Morrison & Associates expert report, dated September
24 22, 2006 (Bates KEYES MORRISON 00001 – KEYES MORRISON 0004)

DATED this 29th day of January, 2009

[Handwritten signature]

Nevada Bar No. 5996
DAVID L. THOMAS, ESQ.
Nevada Bar No. 3172
MONTE HALL, ESQ.
Nevada Bar No. 0239
CHRISTIAN Z. SMITH, ESQ.
Nevada Bar No. 8266
4435 South Eastern Avenue
Las Vegas, Nevada 89119
Tel: (702) 380-3100
Fax: (702) 385-3101
Attorneys for Plaintiff

RECEIPT OF COPY

I hereby acknowledge receipt of a true and correct copy of the foregoing
PLAINTIFF'S EXPERT WITNESS LISTS, REPORTS AND WRITINGS:

DATED this ____ day of January, 2009.

Greg W. Marsh, Esq.
LAW OFFICES OF GREG W. MARSH
731 South Seventh Street
Las Vegas, Nevada 89101
Tel: (702) 387-0052
Email: Dmr4253@aol.colm
Attorneys for Defendant
Hyundai Motor America

I hereby acknowledge receipt of a true and correct copy of the foregoing
PLAINTIFF'S EXPERT WITNESS LISTS, REPORTS AND WRITINGS:

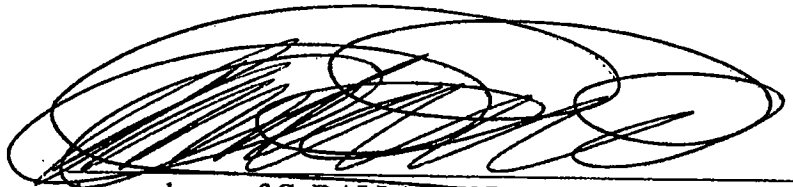
DATED this ____ day of January, 2009.

Robert Vannah, Esq.
Vannah & Vannah
400 S. Fourth Street, 6th Floor
Las Vegas, NV 89101
Co-counsel for Plaintiff

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that on the 29th day of January, 2009, I served the foregoing **PLAINTIFF'S EXPERT WITNESS LISTS, REPORTS AND WRITINGS**: by **facsimile (text only)** and by placing a true and correct copy (with exhibits) of same into a sealed envelope and into the regular U.S. Mail, first class postage prepaid thereon, and addressed to the following at the addresses and facsimile numbers listed below:

Paul G. Cereghini, Esq.
Bryan J. Blehm, Esq.
BOWMAN AND BROOKE LLP
Suite 1600, Phoenix Plaza
2901 North Central Avenue
Phoenix, Arizona 85012-2761
Tel: (602) 643-2464
Fax: (602) 248-0947
Attorneys for Defendant
Hyundai Motor America



An employee of G. DALLAS HORTON & ASSOCIATES

EXHIBIT 18

AFFIDAVIT OF GERALD ROSENBLUTH

STATE OF ARIZONA)
) ss:
COUNTY OF MARICOPA)

GERALD ROSENBLUTH, being first duly sworn, deposes and states that:

1. I have forty years of training and experience in the various facets of the automotive industry ranging from the practice of the auto mechanics trade to post-graduate university study. I have a B.A. and an M.A. from Arizona State University in Industrial Design and Technology with a specialization in Automotive Technology and a minor in Physical Science. I have testified as an expert witness in numerous cases dealing with automotive component design, manufacture, assembly, maintenance and failure analysis of component systems. See Exhibits "A" and "B".

I have testified in cases involving consumer fraud and product liability defect claims including but not limited to trade practices, industry comparative theoretical function and static and dynamic testing failure analysis. Additionally, I have extensive formal university education and real world experience related to automotive engine design, manufacture, assembly, maintenance and failure analysis of engine systems.

I am the president of Automotive Consulting Services, Inc., which has consulted and/or testified on behalf of both plaintiffs and defendants with representative clients being insurance companies, automobile dealerships, automobile manufacturers and private attorneys. I have also been retained by federal and state governmental agencies such as the National Highway Traffic Safety Administration, the Federal Trade Commission, the Arizona Attorney General's Office and the Department of Public Safety to investigate automotive design and/or performance defects and consumer fraud issues related to automobile design and manufacturing failures.

- 1 2. Christine Keyes' subject vehicle was inspected on July 19, 2007 and April 2, 2008.
- 2 3. A list of the materials reviewed is attached as Exhibit "C".
- 3 4. Based on the information provided by William Morrison's report dated September 22,
- 4 2007, the air bag for Christine Keyes' Hyundai did not deploy until the door of the
- 5 Hyundai was opened subsequent to the impact event.
- 6 5. To a reasonable degree of technological probability, the airbag did not timely deploy
- 7 during the impact sequence and in fact experienced a delayed and untimely deployment
- 8 event.
- 9 6. The steering wheel and dashboard exhibited plastic deformation and displacement
- 10 consistent with occupant impact prior to airbag deployment.
- 11 7. A properly and timely deploying airbag would not have allowed this kind of damage to
- 12 the internal compartment [occupant survival zone] of the vehicle.
- 13 8. I can further state to a reasonable degree of scientific and technological probability that
- 14 the seatbelt with respect to this Hyundai malfunctioned. This can be shown by the fact
- 15 that there were no loading witness marks on the seatbelt webbing nor the anchorage
- 16 hardware. Examination of the buckle receiver assembly reflected a probable
- 17 malfunction in the form of a false latch condition resulting in a probable inadvertent
- 18 release. See Exhibit "D" [Selected photos of the buckle receiver assembly].
- 19 9. To a reasonable degree of scientific and technology probability and based on the
- 20 information I have reviewed to date, the Hyundai airbag and seatbelt systems were
- 21 defective and unreasonably dangerous.
- 22 10. Further examination and testing of the seat belt buckle receiver mechanism of a
- 23 physical and radiographic nature will be necessary to support these preliminary
- 24 conclusions and opinions.
- 25 11. My investigation is continuing and I would request that Hyundai give me access to the
- 26 following information relative to the seat belt system:
- 27 a) Technical design drawings inclusive of modification blocks
- 28 b) Documentation relative to each modification block, i.e. source documentation,

1 prototype test documentation, production test documentation, memos, reports,
2 letters and testing.

- 3 c) AAD factory change orders
4 d) Engineering specifications
5 e) Assembly specifications
6 f) Materials specifications
7 g) Manufacturing specifications
8 h) Performance specifications
9 i) Quality control/assurance specifications
10 j) FMEA testing: static/dynamic
11 k) Other similar incidents

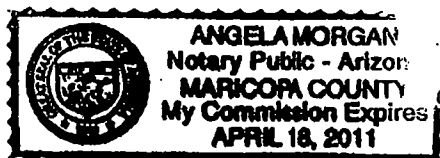
12 12. I reserve the right to modify and amend any opinions stated herein should additional
13 information become available that would have an effect on the basis of the opinions
14 stated at this time.

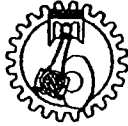
15
16
17
18 
19 GERALD ROSENBLUTH
20

21 SUBSCRIBED AND SWORN to before me

22 this 8 day of MAY, 2008.

23 Angela Morgan
24 NOTARY PUBLIC in and for said
25 County and State





AUTOMOTIVE CONSULTING SERVICES, INC.

4747 SOUTH LAKESHORE DRIVE, SUITE 101
TEMPE, ARIZONA 85282
(480) 890-1000
FACSIMILE (480) 456-3805

**CASE FILE INDEX
KEYES V HYUNDAI
ACS 07-0524C
05/08/08**

CASE TIME LOG

ATTORNEY CORRESPONDENCE

LEGAL DOCUMENTATION

None

INTERROGATORIES/PRODUCTION OF DOCUMENTS

None

POLICE/ADJUSTER/EXPERT DOCUMENTATION

1. Subject Vehicle Investigation and Test Data – By William Rosenbluth – 04/02/08
2. Expert Report – By William Morrison – Plaintiff Accident Reconstructionist – 02/05/07
3. Expert Report – By William Morrison – Plaintiff Accident Reconstructionist – 09/22/06
4. Las Vegas Fire and Rescue – EMS Report – Re: Christine Keyes – 06/04/06
5. State of Nevada Traffic Accident Report – Accident #: LVMPD-060604-2238
6. Medical Records – Re: Christine Keyes
 - a) University Medical Center
7. Expert File – William Morrison – Plaintiff Accident Reconstructionist
 - a) SAE Technical Paper Series – Accelerometer Overload Considerations for Automotive Airbag Applications – By M. Shaw – 03/04-07/02
 - b) SAE Technical Paper Series – Important Issues in Crash Severity Sensing – By T. Gioutsos – 03/04-07/02
 - c) SAE Technical Paper Series – Advanced Frontal Crash Sensing with Peripheral Sensors – By F. J. Stuetzler & K. Century – 10/03-05/00
 - d) Internet Expert Search

INVESTIGATIVE TECHNICAL NOTES

1. Case File Index – 05/08/08
2. Investigative Technical Notes – Subject Vehicle Seat Belt Examination – 04/02/08
3. Investigative Technical Notes – Subject Vehicle Examination – 07/19/07
4. VINASSIST
5. VinLink
6. Case Intake Sheet – Conference: J. Lee – 05/24/07

EVIDENCE RETENTION RECORD

1. Exemplar Left Front Buckle/Receiver [Replacement] – Sectioned – “A”
2. Exemplar Left Front Buckle/Receiver [Replacement] – “B”
3. Exemplar Left Front Restraint System [Replacement] – 2004 Hyundai Accent

SUBJECT VEHICLE MAINTENANCE REPAIR/RECORDS

None

TECHNICAL DATA OEM

1. Promotional Literature – 2004 Hyundai Accent
2. Owner's Manual – 2004 Hyundai Accent
3. Shop Manual – 2004 Hyundai Accent – Volume 1 of 2 – Selected Excerpt
 - a) General Information
4. Shop Manual – 2004 Hyundai Accent – Volume 2 of 2 – Selected Excerpt
 - a) Restraints
5. Electrical Troubleshooting Manual – 2004 Hyundai Accent – Selected Excerpts
 - a) How to Use This Manual
 - b) Schematic Diagrams – Selected Excerpt
 - c) Component Locations – Selected Excerpts
 - d) Harness Layouts – Selected Excerpt
6. Schematic Drawing – 2004 Hyundai Accent – Relay and Module

TECHNICAL DATA SUPPLEMENTAL

1. NHTSA Office of Defects Investigation – Recalls Database – Run 07/13/07
2. NHTSA Office of Defects Investigation – Technical Service Bulletins Database – Run 07/13/07
3. NHTSA Office of Defects Investigation – Defects Database – Run 07/13/07
4. NHTSA Office of Defects Investigation – Consumer Complaints Database – Run 07/13/07
5. “Hyundai SUV and Airbag Non-Deployment: Hit or Miss?” – By Jane Mundy – 08/27/07

DEPOSITIONS/WITNESS STATEMENTS

None

PHOTOGRAPHIC DOCUMENTATION

1. ACS Photographic Sequence – Subject Vehicle – 2004 Hyundai Accent – 04/02/08 – #1001-#1132
2. ACS Photographic Sequence – Subject Vehicle – 2004 Hyundai Accent – 07/19/07 – #1001-#1154
3. Photographic Sequence – Subject Vehicle – By William Rosenbluth – 04/02/08
4. Photographic Sequence – Subject Vehicle Data Download Screens
5. Photographic Sequence – Subject Vehicle

ACS MULTIMEDIA PRESENTATIONS

None

EXHIBIT 19

1 **AROGS**
2 G. DALLAS HORTON & ASSOCIATES
3 G. DALLAS HORTON, ESQ.
4 Nevada Bar No. 5996
5 DAVID L. THOMAS, ESQ.
6 Nevada Bar No. 3172
7 MONTE HALL, ESQ.
8 Nevada Bar No. 0239
9 4435 South Eastern Avenue
10 Las Vegas, Nevada 89119
11 Tel: (702) 380-3100
12 Fax: (702) 385-3101
13 Attorneys for Plaintiff

9
10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 CHRISTINE KEYES,

13 Plaintiff,

14 vs.

15
16 HYUNDAI MOTOR AMERICA, a foreign
17 corporation; DOES I through X; and ROE
18 CORPORATIONS I through X, inclusive,

19 Defendants.

Case No: 2:08-cv-00736-LRH-LRL

PLAINTIFF CHRISTINE KEYES'
RESPONSE TO DEFENDANT'S FIRST
SET OF INTERROGATORIES

20 **PLAINTIFF CHRISTINE KEYES' RESPONSE TO DEFENDANT'S FIRST SET OF**
21 **INTERROGATORIES**

22 TO: HYUNDAI MOTOR AMERICA, Defendant; and

23 TO: ESQ., Attorney for Defendant:

24
25 COMES NOW Plaintiff CHRISTINE KEYES, by and through her attorneys of record, G.
26 DALLAS HORTON & ASSOCIATES, and the LAW OFFICE OF VANNAH & VANNAH,
27 LLC, and hereby responds to Defendant HYUNDAI MOTOR AMERICA, pursuant to N.R.C.P.
28 36.

INTERROGATORY NO. 1:

Please identify (name, address, telephone number, and date of care) any and all health care providers who have provided care to you since this incident.

RESPONSE TO INTERROGATORY NO. 1:

Person Most Knowledgeable re: bills and records
C. Raban, #982690
D. Lewis, #983459
Las Vegas Fire & Rescue
500 North Casino Center Boulevard
Las Vegas, Nevada 89101

Person Most Knowledgeable re: bills and records
Eugene Libby, M.D.
UMC
1800 West Charleston Boulevard
Las Vegas, Nevada 89102

Person Most Knowledgeable re: bills and records
Eugene Libby, M.D.
Vegas Valley Orthopedics
4425 South Pecos, Suite 2
Las Vegas, Nevada 89121

Person Most Knowledgeable re: bills and records
G. Mark Sylvain, M.D.
Orthopedic Specialists
701 South Tonopah Drive
Las Vegas, Nevada 89106

Person Most Knowledgeable re: bills and records
Edmund Pasimio, M.D.
Advanced Spine & Pain Center
801 South Rancho Drive, #A3
Las Vegas, Nevada 89106

Person Most Knowledgeable re: bills and records
Care N Home, Inc./Medicare Solutions, LLC
Edmund Pasimio, M.D.
3050 East Desert Inn Road, Suite 124
Las Vegas, Nevada 89121-1527

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Person Most Knowledgeable re: bills and records
Ron Horvath
Village East Drugs
2301 East Sunset Road, #8
Las Vegas, Nevada 89119

Person Most Knowledgeable re: bills and records
North Valley Medical Supply
3053 West Craig Road, Suite B
Las Vegas, Nevada 89032

Person Most Knowledgeable re: bills and records
Wellcare Pharmacy
3890 South Maryland Parkway
Las Vegas, Nevada 89119

Person Most Knowledgeable re: bills and records
Eric J. Anderson, M.D.
Fremont Emergency Services
P. O. Box 1737
Las Vegas, Nevada 89125

Person Most Knowledgeable re: bills and records
Kofi E. Sargo
Gary D. Morris
Eric J. Anderson
Mountain View Hospital
3100 North Tenaya Way
Las Vegas, Nevada 89108

Person Most Knowledgeable re: bills and records
City of Las Vegas EMS
400 E. Stewart Avenue
Las Vegas, Nevada 89101

Person Most Knowledgeable re: bills and records
American Medical Response
1200 S. Maryland Parkway
Las Vegas, Nevada 89102

Person Most Knowledgeable re: bills and records
Desert Radiologists
7200 Cathedral Rock Drive
Las Vegas, Nevada 89128

Person Most Knowledgeable re: bills and records
Richard Singer M.D.
PBS Anesthesia
2635 Box Canyon Drive
Las Vegas, Nevada 89128

INTERROGATORY NO. 2:

Please identify (name, address, telephone number and date of care) and all health care providers who provided care to you five years prior to the date of this incident.

RESPONSE TO INTERROGATORY NO. 2:

I don't recall any.

INTERROGATORY NO. 3:

Please identify (name, address, and date of attendance) every school you attended.

RESPONSE TO INTERROGATORY NO. 3:

Brett Heart Elementery
Cocran, CA
Grades K – 6

Fremont Middle School
Cocran, CA
Grades 7 – 9

Cocran High School
Cocran, CA
Grades 10 – 12

Desert Highland Park Community Center
Palm Springs, CA
Strudies: CNA License
Attended approximately 1985/86

INTERROGATORY NO. 4:

Please identify (name, address and telephone number) each person that you expect to call as an expert witness at trial.

1 **RESPONSE TO INTERROGATORY NO. 4:**

2 At this time, Plaintiff has not designated any expert witnesses. Discovery is continuing.
3 Plaintiff reserves the right to supplement this response as additional information become
4 available.
5

6 **INTERROGATORY NO. 5:**

7 Please state the substance of the opinions you expect to elicit from each expert witness
8 identified in your answer to Interrogatory No. 5.
9

10 **RESPONSE TO INTERROGATORY NO. 5:**

11 At this time, Plaintiff has not designated any expert witnesses. Discovery is continuing.
12 Plaintiff reserves the right to supplement this response as additional information become
13 available.
14

15 **INTERROGATORY NO. 6:**

16 Please summarize the grounds for each opinion stated in response to Interrogatory No. 7.

17 **RESPONSE TO INTERROGATORY NO. 6:**

18 Objection. Plaintiff cannot provide a response Interrogatory. Based on this request, it
19 refers to Interrogatory 7 which does not call for an opinion.
20

21 **INTERROGATORY NO. 7:**

22 Please identify (name, address, telephone number, and date of custody) all persons who
23 had custody of the subject vehicle after this incident.

24 **RESPONSE TO INTERROGATORY NO. 7**

25 Auto Body & Paint, LLC
26 4425 Colton Ave, Suite 108
27 Las Vegas, NV 89115
28 Phone: (702) 643-7277

I am not aware if the vehicle is still at this location.

1
2 **INTERROGATORY NO. 8:**

3 Please identify (name, address and telephone number) all other persons who are claiming
4 or can claim a financial interest in this lawsuit.
5

6 **RESPONSE TO INTERROGATORY NO. 8:**

7 Objection. Irrelevant. This Interrogatory is vague and ambiguous as to what the
8 Defendants mean by "claiming or can claim a financial interest." I further object as the
9 information sought in this requests calls for information protected by the attorney client privilege.
10 Without waiving said objection, I am not aware of any one having a financial interest in this
11 matter. Discovery is continuing. I reserve the right to supplement this response as additional
12 information is received.
13

14 **INTERROGATORY NO. 9:**

15 Please identify (name, jurisdiction and case number) all claims or lawsuits against
16 Hyundai that you believe involved allegations similar to the allegations you are making against
17 Hyundai in this case.
18

19 **RESPONSE TO INTERROGATORY NO. 9:**

20 Objection. Overbroad and unduly burdensome. Without waiving said objection, I am not
21 aware of any at this time. I reserve the right to supplement this response as additional information
22 is received.
23

24 **INTERROGATORY NO. 10:**

25 Please identify (name, address, telephone number, and policy number) every insurance
26 company to which you have submitted a claim related to this incident.
27

28 ...

1 **RESPONSE TO INTERROGATORY NO. 10:**

2 Primero Insurance
3 P O Box 1300
4 Spearfish, SD 57783
(800) 727-4455

5 AAA Insurance
6 (address unknown)
7 Policy No. 907006

8 **INTERROGATORY NO. 11:**

9 State you address, date of birth, place of birth, and social security number and full name
10 and all names by which you have been known or used, including nicknames.

11 **RESPONSE TO INTERROGATORY NO. 11:**

12 Christine Keys (Whitfield maiden name)
13 [REDACTED] 60
14 Hanford, CA
15 S/S: [REDACTED] 1473

16 **INTERROGATORY NO. 12:**

17 If you have ever been convicted of a felony, please state with regard to each such
18 conviction what you were charged with and convicted of; the year of the conviction; the name,
19 address, and title of the court in which the proceeding was brought; the amount of fine and/or
20 sentence imposed; and the amount of fine paid and/or time of sentence served.

21 **RESPONSE TO INTERROGATORY NO. 12:**

22 I have never been convicted of a felony.

23 **INTERROGATORY NO. 13:**

24 If you are claiming any loss of income or wages from your business or occupation as a
25 result of this incident, describe any such loss, including the cause, the dates, the amount of
26 income lost, and the method of computing the claimed wage loss
27
28

1 **RESPONSE TO INTERROGATORY NO. 13:**

2 At the time of the incident I was not working. However, I had accepted a position
3 working for a private client and was to commence work on June 10, 2006. I was unable to do so
4 as a result of the accident. As a result of the injuries sustained, I have become disabled and
5 unable to work.
6

7 **INTERROGATORY NO. 14:**

8 For the past ten (10) year period, identify each of your employers, including the
9 employers' names, addresses, and telephone numbers, and the dates of employment.
10

11 **RESPONSE TO INTERROGATORY NO. 14:**

12 Absolute Home Care (sister company to Advanced Home Care)
13 Las Vegas, NV
14 Approximately: 2004-2005

15 Advanced Home Care (sister company to Absolute Home Care)
16 Las Vegas, NV
17 Phone: (702) 562-3355
18 Approximately: 2004-2005

19 Helen Pellen (deceased)
20 Palm Springs, CA
21 Approximately: 1998-2000

22 Carlo Garnett
23 Palm Springs, CA
24 Approximately: 1997

25 Connie Pruschette (sp?)
26 Bakersfield, CA
27 Approximately: 2003 – mid 2005
28

1 **INTERROGATORY NO. 15:**

2 With regard to places of employment given in your answer to Interrogatory No. 16, state
3 the name of your immediate supervisor or superior at each place of employment given by you.
4

5 ...

1 **RESPONSE TO INTERROGATORY NO. 15:**

2 Objection. Interrogatory No. 16 does not call for this formation. Notwithstanding said
3 objection:

4 Ms. Pruschett, Ms. Garnett and Ms. Pellen were individuals that I worked for and were my
5 immediate supervisors during my employment.

6 Absolute Home Care - David (last name unknown)

7 Advanced Home Care – Susan (last name unknown)

8
9 **INTERROGATORY NO. 16:**

10 If you have ever made a claim against any person or organization for damages or injuries
11 to person or property, state the circumstances, including the case number and court where the
12 proceeding took place.

13
14 **RESPONSE TO INTERROGATORY NO. 16:**

15 Late 1980 I was involved in a motor vehicle accident in Palm Springs, CA. The matter
16 settled prior to litigation for property damage only.

17 In 1980 I was at a laundry facility in Palm Springs, CA. One of the hoses from a washing
18 machine busted and I slipped and fell in the water hurting my neck. This matter never went into
19 litigation. I reserve my right to supplement the right to supplement this response as information is
20 received.

21
22 **INTERROGATORY NO. 17:**

23 Provide the dates and place of all incidents, accident, or occurrences, either prior to or
24 subsequent to this incident, wherein you sustained any injuries whatsoever which required or
25 resulted in medical care, a consultation, an examination, or treatment, and further state;

26 A. The nature of the injuries and their symptoms; and
27
28

1 B. The names and addresses of each doctor and/or medical provider and each hospital
2 from which you received consultation, examination or treatment.

3 **RESPONSE TO INTERROGATORY NO. 17:**

4 Please see answer to Interrogatory No. 16.

5
6 **INTERROGATORY NO. 18:**

7 State whether you have made an application or claim for benefits under any medical
8 payment coverage of a policy of insurance, under any public or private group medical benefits
9 plan or any state, federal, or local workmen's compensation plan as a result of injuries arising out
10 of this incident and identify the insurance company, governmental body, or organization to whom
11 such application or claim was made, and the date(s) and amount(s) of payment.

12
13 **RESPONSE TO INTERROGATORY NO. 18:**

14 Objection. Irrelevant. Information sought is believed to lead to information not designed
15 to lead to the discovery of admissible evidence. Notwithstanding said objections, I have not
16 applied for any workman's compensation benefits. Other than submitting claims to health
17 insurance providers and med-pay through the vehicle insurance policies. I reserve the right to
18 supplement this response as additional information is received.

19
20 **INTERROGATORY NO. 19:**

21 If you have settled with, or have or will be receiving payments from any party whatsoever
22 with respect to this incident, as well as any accident listed in your answer to Interrogatory No. 19,
23 fully describe the terms of settlement and/or receipt of payments, including the identity of the
24 parties involved with the settlement, the amount of settlement, any insurance companies involved
25 with the settlement, the date of settlement, and any other terms which reflect on the nature of the
26 settlement.
27
28

1 **RESPONSE TO INTERROGATORY NO. 19:**

2 Objection. Not designed to lead to discovery of admissible evidence. I reserve the right
3 to supplement this response as additional information is received.

4 **INTERROGATORY NO. 20:**

5
6 Describe each and every document, as well as its location, that references the settlement or
7 settlements mentioned in Interrogatory No. 21.

8 **RESPONSE TO INTERROGATORY NO. 20:**

9 See Answer to Interrogatory No. 19.

10 **INTERROGATORY NO. 21:**

11
12 If you or anyone acting on your behalf has executed a covenant not to sue, covenant not to
13 execute, release, or any other contract or agreement releasing any party or third person from any
14 past, present, or future liability which does or may result from any claim, associated with or
15 growing out of any claim mentioned in the Complaint or any acts or omissions associates any
16 party or third person as mentioned in the Complaint, identify the person having custody of said
17 document(s) and the consideration for execution of said document(s).

18 **RESPONSE TO INTERROGATORY NO. 21:**

19
20 Objection. Not designed to lead to discovery of admissible evidence. I reserve the right
21 to supplement this response as additional information is received.

22 **INTERROGATORY NO. 22:**

23
24 Identify (by author, person, name, address and location) any and all written or recorded
25 statements made by any person purporting to have knowledge of any facts surrounding this
26 incident.

27 ...
28

1 **RESPONSE TO INTERROGATORY NO. 22:**

2 I am not aware of any recorded statements and/or written statements regarding this matter.
3 Discovery is continuing. I reserve the right to supplement these responses as information
4 becomes available.
5

6 **INTERROGATORY NO. 23:**

7 Identify (name, address, telephone number, date of service, and nature of service) all
8 persons who performed any service, maintenance, or repair to the subject vehicle at anytime
9 before this incident.
10

11 **RESPONSE TO INTERROGATORY NO. 23:**

12 The vehicle which was subject to this incident was approximately 2 years old and under
13 warranty. Therefore, any maintenance and repairs that would have been performed, would have
14 been done by the dealership from which is was purchased.
15

16 DATED this 30 day of December, 2008.

17 G. DALLAS HORTON & ASSOCIATES

18 

19 _____
20 G. DALLAS HORTON, ESQ.

21 Nevada Bar No. 5996

22 DAVID L. THOMAS, ESQ.

23 Nevada Bar No. 3172

24 MONTE HALL, ESQ.

25 Nevada Bar No. 0239

26 4435 South Eastern Avenue

27 Las Vegas, NV 89119

28 (702) 380-3100


Attorneys for Plaintiffs

VERIFICATION


State of Nevada)
) ss:
County of Clark)

I, Christine Keys, under penalties of perjury, states as follows:

That I am the Plaintiff in the above entitled action. I have read the foregoing
PLAINTIFF CHRISTINE KEYS' ANSWERS TO DEFENDANTS FIRST SET OF
INTERROGATORIES, know the contents thereof, and believe the same is true of my own
knowledge except for those matters contained therein stated upon information and belief, and as
to those matters, I believe them to be true.


Christine Keys

SUBSCRIBED AND SWORN to before me
this the 1st day of December, 2008


NOTARY PUBLIC, in and for the County
Of Clark, State of Nevada



CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that on the 2nd day of December, 2008 served the foregoing **PLAINTIFF'S RESPONSES TO INTERROGATORIES**, via facsimile at the facsimile numbers indicated below, and by placing a true and correct copy of same into a sealed envelope and into the regular U.S. Mail, first class postage prepaid thereon, and addressed to the following at the addresses and facsimile numbers listed below:

Paul G. Cereghini, Esq.
Bryan J. Blehm, Esq.
BOWMAN AND BROOKE LLP
Suite 1600, Phoenix Plaza
2901 North Central Avenue
Phoenix, Arizona 85012-2761
Tel: (602) 643-2464
Fax: (602) 248-0947
Attorneys for Defendant
Hyundai Motor America

Greg W. Marsh, Esq.
LAW OFFICES OF GREG W. MARSH
731 South Seventh Street
Las Vegas, Nevada 89101
Tel: (702) 387-0052
Email: Dmr4253@aol.colm
Attorneys for Defendant
Hyundai Motor America

Robert D. Vannah, Esq.
Denise M. Ridenhour, Esq.
VANNAH & VANNAH
400 South Fourth Street, 6th Floor
Las Vegas, Nevada 89101
(702) 369-4161
(702) 369-0104 (facsimile)
Co-Counsel for Plaintiff
Christine Keyes



An employee of G. DALLAS HORTON & ASSOCIATES

EXHIBIT 20

Don 602-248-0441

KMHCG45C24U505194 JK 2004 HYUN

P4D ACCENT GL

NV002851779 2513 08/12/2008 JUNK TOTAL LOSS

SOUTHWEST AUTO WRECKING
4540 SMILEY RD
LAS VEGAS NV 89115-1818

SOUTHWEST AUTO WRECKING
4540 SMILEY RD
LAS VEGAS NV 89115-1818

6/3 rec'd call from Accident Brothers to
pick up vehicles that had been abandoned.
6/3 Called into Metro
6/5 Put on list to DMV
6/25 DMV came out check vehicle - junked vehicle
6/26 Vehicle was crushed

PSF1

SOUTHWEST AUTO WRECKING
4540 E. Smiley Road
Las Vegas, Nevada 89115
Phone 643-1771
Wrecker License WRK 232

Valerie Kalmback

KO

KEYES
003612

STATE OF NEVADA
DEPARTMENT OF MOTOR VEHICLES
CENTRAL SERVICES - RECORDS DIVISION
555 Wright Way
Carson City, Nevada 89711-0250
(775) 684-4590

REQUEST DATE : 03/12/2009

SUP.TRAN.ID : 47527626

SOUTHWEST AUTO WRECKING
4540 SMILEY RD
LAS VEGAS NV 89115-1818

VEHICLE TITLE DATA

I - VEHICLE DATA

YEAR : 2004 MAKE : HYUN MODEL : ACCENT G CYL : 04 OPTL NO.: NOT AVL.
VIN : KMHCG45C24U505194 VEHCL TYPE : VEH-SEDAN 4 DR

II - TITLE INFORMATION

TITLE NO : NV002851779 ODMTR RG : NOT AVL
STATUS : JUNKED ODMTR BR : NOT APPLICABLE
TITLE ISSUE DATE : 08/12/2008

BRAND : TOTAL LOSS

DATE : 08/08/2006

OWNER TYPE : REGISTERED COMBN TYPE : NONE
NAME : SOUTHWEST AUTO WRECKING
ADDRESS : 4540 SMILEY RD
CITY/STATE : LAS VEGAS NV 89115-1818

PAGE NO: 1** LAST PAGE **

KEYES
003614

STATE OF NEVADA
DEPARTMENT OF MOTOR VEHICLES
CENTRAL SERVICES - RECORDS DIVISION
555 Wright Way
Carson City, Nevada 89711-0250
(775) 684-4590

REQUEST DATE : 03/12/2009

SUP. TRAN. ID : 47527626

SOUTHWEST AUTO WRECKING
4540 SMILEY RD
LAS VEGAS NV 89115-1818

VEHICLE REGISTRATION DATA

I - VEHICLE DATA

YEAR : 2004 MAKE : HYUN MODEL : ACCENT G CYL : 04
VIN : KMHCG45C24U505194 VEHCL TYPE : VEH-SEDAN 4 DR

II - REGISTRATION INFORMATION

EXPIRATION DATE : 11/08/2006

OWNER TYPE : REGISTERED COMEN TYPE : OR
NAME : RENEE D MOJESKE
MAIL ADDRESS : 4430 SAN MATEO ST
CITY/STATE : N LAS VEGAS NV 89031-2172

OWNER TYPE : REGISTERED COMEN TYPE : NONE
NAME : MERANDA P JACKSON
MAIL ADDRESS : 4430 SAN MATEO ST
CITY/STATE : N LAS VEGAS NV 89031-2172

LAST TRANSACTION DATE: 06/05/2006

PAGE NO: 1** LAST PAGE **

LINE	LOCATION	STOCK	YEAR	MAKE	MODEL	COLOR	VIN	FOR	DATE	DRIVER
38	4435 E Colton	11651103	Hyundai Accent	Green 4Dr			K01HCG45C04U5C05194			Driver
38	"	11651194	Alpina 1500i	Blue 3Dr			KG051438RZ1371591			Driver
4.8	4440 E. Colton	11650197	Hyundai Accent	Green 4Dr			K01HTE341M4VU5163518			Driver
"	"	11653195	Hyundai Accent	Green 4Dr			KG3ZE3537XTZ146091			Driver
"	"	11653197	Hyundai Accent	Green 4Dr			KG3ZG1478M1Z137533			Driver
"	"	11655188	Hyundai Accent	Green 4Dr			KG0W314T1NF304805			Driver
"	"	11656184	Hyundai Accent	Green 4Dr			KG4G110101E3074410			Driver
"	"	11657198	Hyundai Accent	Green 4Dr			KG0E413W0W10253194			Driver
58	4445 Eastway	11658197	Alpina 1500i	Blue 3Dr			KG3W1453MXV1333810			Driver
"	"	11659193	Alpina 1500i	Blue 3Dr			KG3K5384DZ1337863			Driver
"	"	11660188	Alpina 1500i	Blue 3Dr			KG3DE4157BRZ133417			Driver
6.8	80410 Mendenhall	11661171	Alpina 1500i	Blue 3Dr			KG3W1453MXV1333810			Driver
7.8	44410 E Colton	11662185	Alpina 1500i	Blue 3Dr			KG3W1453MXV1333810			Driver
"	"	11663193	Alpina 1500i	Blue 3Dr			KG3W1453MXV1333810			Driver
"	"	11664196	Alpina 1500i	Blue 3Dr			KG3W1453MXV1333810			Driver
8.8	44410 E Colton	11665193	Alpina 1500i	Blue 3Dr			KG3W1453MXV1333810			Driver
"	"	11666193	Alpina 1500i	Blue 3Dr			KG3W1453MXV1333810			Driver
"	"	11667193	Alpina 1500i	Blue 3Dr			KG3W1453MXV1333810			Driver
"	"	11668199	Alpina 1500i	Blue 3Dr			KG3W1453MXV1333810			Driver
"	"	11669193	Alpina 1500i	Blue 3Dr			KG3W1453MXV1333810			Driver

EXHIBIT 21

1 **RFPD**

2 **G. DALLAS HORTON & ASSOCIATES**

3 **G. DALLAS HORTON, ESQ.**

4 Nevada Bar No. 5996

5 **DAVID L. THOMAS, ESQ.**

6 Nevada Bar No. 3172

7 **MONTE HALL, ESQ.**

8 Nevada Bar No. 0239

9 **CHRISTIAN Z. SMITH, ESQ.**

10 Nevada Bar No. 8266

11 4435 South Eastern Avenue

12 Las Vegas, Nevada 89119

13 Telephone (702) 380-3100

14 Facsimile (702) 385-3101

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20 *Attorneys for Plaintiff*

21 **UNITED STATES DISTRICT COURT**

22 **DISTRICT OF NEVADA**

23 **CHRISTINE KEYES,**

Case No: 2:08-cv-00736-LRH-LRL

Plaintiff,

**PLAINTIFF'S REQUESTS FOR
PRODUCTION FO DOCUMENTS TO
DEFENDANT**

vs.

**HYUNDAI MOTOR AMERICA, a foreign
corporation; DOES I through X; and ROE
CORPORATIONS I through X, inclusive,**

Defendants.

1 TO: HYUNDAI MOTOR AMERICA, Defendant; and

2 TO: BRIAN BLEHM ESQ., Attorney for Defendant:

3
4 Under authority of Rule 34 of the Nevada Rules of Civil Procedure, Plaintiff,
5 CHRISTINE KEYES, hereby requests that Defendant, HYUNDAI MOTOR AMERICA,
6 respond in writing and produce the requested documents, within thirty (30) days from the receipt
7 hereof, the following Requests for Production of Documents.

8
9 **REQUEST NO. 1:**

10 Produce an internal logic/circuit schematic diagram (with pinout) for the subject vehicle
11 SRS Electronic Control Unit (ECU) used in the subject vehicle. Include identification of all
12 external connection ports, diagnostic connector ports, status-sensing ports, other ECU
13 communication, and internal test points (including those ports/points used for manufacturing test
14 and engineering test).

15
16 **REQUEST NO. 2:**

17 Produce a component value table for all components referenced in the above referenced
18 logic/circuit schematics.

19
20 **REQUEST NO. 3:**

21 Produce all specifications and specification documents for all data saved as the result of a
22 triggering event. Triggering events include, but are not limited to:

- 23 a. DTC recognition process or subroutine;
- 24 b. DTC storage to memory process or subroutine;
- 25 c. Crash event detection condition or recognition process or subroutine leading to
- 26 algorithm calculation(s) to determine a deployment decision for one or more
- 27 squibs;
- 28

- 1 d. Crash event detection condition or recognition process or subroutine leading to
2 algorithm calculation(s) to determine a reset before any deployment of any squib.
3 e. Sensor event condition(s) or recognition process(es) leading to algorithm wake up
4 or algorithm enable (AE).
5

6 **REQUEST NO. 4:**

7 Produce all documents which identify any or all valid SRS ECU Scan Tools that are
8 authorized by the vehicle manufacturer/ECU supplier to read DTCs, Data Parameters, Current
9 Circuit Parameters, and/or EEPROM data via a Direct Umbilical to the subject class SRS ECU.
10

11 **REQUEST NO. 5:**

12 Produce a compiler "Symbols List" for the constants and variables saved in non-volatile
13 memory (EEPROM, Flash Memory) used by, or written by, the control software of the subject
14 SRS ECU.
15

16 **REQUEST NO. 6:**

17 Produce a "Symbols Map" showing where the above-identified "Symbols" (constants and
18 variables used in the control software) are saved in EEPROM addresses or in any memory
19 addresses.
20

21 **REQUEST NO. 7:**

22 Produce all documents which identify the valid EEPROM address range in the subject
23 SRS ECU.

24 **REQUEST NO. 8:**

25 Produce all specifications identifying for each EEPROM/flash-memory address in the
26 subject SRS ECU, a corresponding identification of the data contents for each address identified.
27 For each address value, identify the parameter content and produce the following Scaling Limits,
28

1 Offset and Transfer definitions (SLOT) for the parameter saved at the address so that the
2 EEPROM information can be readily interpreted and used for engineering analysis.

3 **REQUEST NO. 9:**

4 Produce all documents showing whether the data conventions in the ERS ECU variable
5 and/or PIDs follow the signing conventions of SAE J1733/SAE J670e/SAE J211. If the SRS
6 ECU data conventions differ from these standards, produce documents stating the signing
7 conventions used in the subject SRS ECU data.
8

9 **REQUEST NO. 10:**

10 Produce all documents covering or containing sub-parts covering the operational
11 specification of the subject ECU/controller as installed in the subject vehicle, or the class of
12 vehicle models containing substantially similar systems.
13

14 **REQUEST NO. 11:**

15 Produce all SRS-ECU supplier simulation response summaries to the vehicle
16 manufacturer provided functional crash-performance requirements specifications. If such
17 functional crash performance simulation summaries contain sub-parts or multiple condition
18 deployment criteria, include all such summary sub-parts in the summaries supplied.
19

20 **REQUEST NO. 12:**

21 Produce all documents in which the data and/or specifications to access or interrogate
22 direct-addressed EEPROM/Flash memory and/or PIDS and/or PIDs are contained.
23

24 **REQUEST NO. 13:**

25 Produce an EEPROM map showing the values loaded in the subject SRS ECU EEPROM
26 or Flash Memory when the vehicle in which that SRAS ECU is installed is released into the
27 stream of commerce.
28

1 **REQUEST NO. 14:**

2 Produce all worksheets/forms/interpreters/coding-sheets, spreadsheet data files,
3 translational program data files, and interpretive-program data files used by engineers/company
4 investigators when examining internal parameter (PID, DPID) and DTC memory
5 EEPROM/flash-memory data from an SRS ECU.
6

7 **REQUEST NO. 15:**

8 Produce all worksheets/forms/interpreters/coding-sheets, spreadsheet data files,
9 translational program data files, and interpretive-program data files used by
10 investigators/technicians/engineers when examining direct-addressed or internal indirect-
11 addressed (virtual addresses) ROM, PROM, EEPROM and/or PID data from the subject
12 ECU/controller type.
13

14 **REQUEST NO. 16:**

15 Produce all worksheets/forms/interpreters/coding-sheets, spreadsheet data files,
16 translational program data files, and interpretive-program data files used by
17 investigators/technicians/engineers when examining the contents of internal direct-addressed
18 ROM, PROM, or EEPROM data from the subject SRS ECU/controller type.
19

20 **REQUEST NO. 17:**

21 Produce all documents covering or containing sub-parts covering the operational
22 specification of the subject SRS ECU/controller as installed in the subject vehicle or the class of
23 vehicle models containing substantially similar systems.
24

25 **REQUEST NO. 18:**

26 Produce a list of all model years and vehicle models in which the same or functionally
27 similar SRS ECU/controller system was used in vehicles.
28

REQUEST NO. 19:

Produce all SRS-ECU supplier simulation response summaries to the vehicle manufacturer provided functional crash performance requirements specifications. If such functional crash performance simulation summaries contain sub-parts, or multiple-condition deployment criteria, include all such summary sub-parts in the summaries supplied.

REQUEST NO. 20:

Produce all acceleration/displacement/kinematics/electrical-performance charts recorded for vehicles and/or manikins in passive-restraints verification crash tests involving **frontal full-barrier collisions** (complete barrier) for SRS/airbag deploy/non-deploy verification.

REQUEST NO. 21:

Produce all acceleration/displacement/kinematics/electrical performance charts recorded for vehicles and/or manikins in passive-restraints verification crash tests involving **frontal offset-barrier collisions** (half or offset or angled barrier) for SRS/airbag deploy/non-deploy verification.

REQUEST NO. 22:

Produce all acceleration/displacement/kinematics/electrical performance charts recorded for vehicles and/or manikins in passive-restraints verification crash tests involving **frontal angled-barrier collisions** (half or offset or angled barrier) for SRS/airbag deploy/non-deploy verification.

REQUEST NO. 23:

Provide a list of all structural/mechanical changes incorporated in the subject vehicle that were not incorporated in each crash test vehicle.

1 **REQUEST NO. 24:**

2 Produce all supplier simulation response summaries, tables, charts submitted to verify
3 that the vehicle manufacturer provided functional crash performance requirements are satisfied
4 by simulation responses of the subject ECU crash discrimination algorithm. If such functional
5 crash performance simulation summaries contain sub-parts or multiple condition deployment
6 criteria, include all such summary sub-parts in the specification supplied.
7

8 **REQUEST NO. 25:**

9 Please produce all documents in your possession in response to Interrogatory No. 3
10 served concurrently herewith.
11

12 **REQUEST NO. 26:**

13 Please produce all documents in your possession in response to Interrogatory No. 4
14 served concurrently herewith.
15

16 **INTERROGATORY NO. 27:**

17 Please produce all documents in your possession in response to Interrogatory No. 5
18 served concurrently herewith.
19

20 **INTERROGATORY NO. 28:**

21 Please produce all documents in your possession in response to Interrogatory No. 6
22 served concurrently herewith.
23

24 **INTERROGATORY NO. 29:**

25 Please produce all documents in your possession in response to Interrogatory No. 7
26 served concurrently herewith.
27
28

INTERROGATORY NO. 30:

Please produce all documents in your possession in response to Interrogatory No. 8 served concurrently herewith.

INTERROGATORY NO. 31:

Please produce all documents in your possession in response to Interrogatory No. 9 served concurrently herewith.

INTERROGATORY NO. 32:

Please produce all documents in your possession in response to Interrogatory No. 10 served concurrently herewith.

INTERROGATORY NO. 33:

Please produce all documents in your possession in response to Interrogatory No. 11 served concurrently herewith.

INTERROGATORY NO. 34:

Please produce all documents in your possession in response to Interrogatory No. 12 served concurrently herewith.

INTERROGATORY NO. 35:

Please produce all documents in your possession in response to Interrogatory No. 13 served concurrently herewith.

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...

1 **INTERROGATORY NO. 36:**

2 Please produce all documents in your possession in response to Interrogatory No. 17
3 served concurrently herewith.

4 DATED this 2 day of April, 2009.

6 G. DALLAS HORTON & ASSOCIATES

7 

8 G. DALLAS HORTON, ESQ.

9 Nevada Bar No. 5996

10 DAVID L. THOMAS, ESQ.

11 Nevada Bar No. 3172

12 MONTE HALL, ESQ.

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14 4435 South Eastern Avenue

15 Las Vegas, NV 89119

16 (702) 380-3100

17 Attorneys for Plaintiffs


CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that on the ____ day of April, 2009 served the foregoing PLAINTIFF'S REQUESTS FOR PRODUCTION OF DOCUMENTS TO DEFENDANT, via facsimile at the facsimile numbers indicated below, and by placing a true and correct copy of same into a sealed envelope and into the regular U.S. Mail, first class postage prepaid thereon, and addressed to the following at the addresses and facsimile numbers listed below:

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